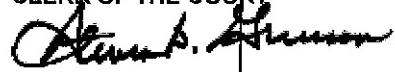


# EXHIBIT A

Electronically Filed  
11/16/2021 2:39 PM  
Steven D. Grierson  
CLERK OF THE COURT



**COMP**

1 James R. Christensen Esq.  
2 Nevada Bar No. 3861  
3 JAMES R. CHRISTENSEN PC  
4 601 S. 6<sup>th</sup> Street  
5 Las Vegas NV 89101  
6 (702) 272-0406  
7 (702) 272-0415 fax  
jim@jchristensenlaw.com  
Attorney for Plaintiff

CASE NO: A-21-844156-C  
Department 31

8 Eighth Judicial District Court

9 District of Nevada

10 ROBERTA CHRISTIAN,

Case No.:  
Dept. No.:

11 Plaintiff,

**COMPLAINT**

12 vs.

Date of Hearing: N/A  
Time of Hearing: N/A

13 NEW SONG LUTHERAN CHURCH,  
14 INC., a Nevada Nonprofit  
15 Corporation; and DOE individuals 1  
16 through 20 and ROE entities 1  
17 through 20;

18 Defendants.

20 **Parties**

21 1. Plaintiff Roberta Christian is a resident of Lake County, Illinois.

22 In December of 2019 Roberta Christian was a resident of Clark County,  
23 Nevada.

1           2. Defendant New Song Lutheran Church Inc., ("New Song Inc.")  
2 is a Nevada nonprofit corporation. New Song Inc. is located and operates  
3 at 1291 Cornet St., in Henderson Nevada.

4           3. Defendants, DOES 1 through 10 are individuals and ROE  
5 entities 1 through 10, are entities which owned, operated, supervised,  
6 designed, built, installed, cleaned, or maintained the building and premises  
7 of New Song Inc., and/or owned or controlled the subject area rug or chair  
8 rack at the time relevant hereto and which caused or contributed to  
9 Plaintiff's damages. The true names and capacities of DOE individuals 1  
10 through 10 and ROE entities 1 through 10, are currently unknown to  
11 Plaintiff. Plaintiff will amend this complaint to insert the true names and  
12 capacities of the DOE and ROE Defendants when they are ascertained.

13           4. Defendants, DOES 11 through 20 are individuals and ROE  
14 entities 11 through 20, are associations, partnerships, limited liability  
15 companies, trusts, corporations, or other entities, which, which may have in  
16 some way caused or contributed to, and/or be subject to liability for,  
17 Plaintiff's damages. The true names and capacities of DOE individuals 11  
18 through 20 and ROE entities 11 through 20 are currently unknown to  
19 Plaintiff. Plaintiff will amend this complaint to insert the true names and  
20 capacities of the DOE and ROE Defendants when they are ascertained.

5. Defendants are agents, servants, employees, employers, trade ventures, partners and/or subsidiaries of each other. At the time of the incident described in this Complaint, Defendants were acting within the color, purpose, and scope of their relationships, and by reason of their relationships, Defendants are jointly and severally and/or vicariously responsible and liable for the acts and omissions of their co-Defendants.

### **Jurisdiction and Venue**

6. New Song Inc. is present and operates in Clark County Nevada, therefore, Nevada has jurisdiction over Defendant pursuant to NRS 14.065.

7. The subject incident occurred in Clark County, Nevada, therefore, venue is proper in the Eighth Judicial District Court pursuant to Chapter 13 of the Nevada Revised Statutes.

## **General Allegations**

8. New Song Inc. was formed in August of 2004. New Song Inc. operates a church and school located at 1291 Cornet St., in Henderson Nevada. New Song Inc. is affiliated with the Evangelical Lutheran Church in America.

1       9. Roberta Christian was born May 28, 1944. Since about 2008,  
2 Roberta Christian was a member of the church operated by New Song Inc.,  
3 and worked as a volunteer for New Song Inc.

4       10. On December 5, 2019, Roberta Christian was lawfully on the  
5 premises of New Song Inc. when Roberta Christian began to walk across  
6 an area rug. Prior to the moment when Roberta Christian began to walk  
7 across the area rug, agents of New Song Inc., working as employees of  
8 and/or volunteers for New Song Inc., had disturbed the area rug and  
9 caused the area rug to bunch up by pushing a loaded folding chair rack  
10 across the area rug, thereby creating a hazardous and unreasonably  
11 dangerous condition. The agents of New Song Inc. disturbed the area rug  
12 to such an extent that the folding chair rack itself was caught in the  
13 bunched-up folds of the area rug.

14      11. On December 5, 2019, the bunched-up area rug tripped  
15 Roberta Christian as she walked across the area rug causing Roberta  
16 Christian to fall. When Roberta Christian fell, she hit the folding chair rack  
17 and Roberta Christian also struck the ground. The fall caused Roberta  
18 Christian to suffer serious injuries including fractures of the C-2 vertebral  
19 body and the C-2 posterior lamina.

**First Cause of Action  
(Negligence against New Song Inc.)**

12. Plaintiff repeats and realleges every allegation contained in this complaint and incorporates them by reference.

13. Defendant New Song Inc. owed a duty of care to all, including Roberta Christian, to keep the premises of New Song Inc. reasonably safe for use. Defendant New Song Inc. is vicariously liable for the acts or omissions of its agents, including its employees and volunteers.

14. On December 5, 2019, New Song Inc., by and through its agents, breached its duty of care and acted negligently by creating an unreasonably dangerous condition in the form of the bunched-up area rug. Further, New Song Inc., breached its duty of care and acted negligently, by and through its agents, when New Song Inc. did not make safe and/or warn of the unreasonably dangerous condition created by the bunched-up rug. The negligent acts and omissions of New Song Inc., by and through its agents, directly and proximately created an unreasonably dangerous condition which tripped Roberta Christian and causing Roberta Christian to fall and sustain serious injury.

15. As a result of the actions of Defendant(s), and each of them, Roberta Christian incurred injuries to her damage in an amount in excess of fifteen thousand dollars (\$15,000.00).

16. As a result of the actions of Defendant(s), and each of them, Roberta Christian required, and may continue to require medical care and has incurred and may continue to incur medical expense in the future in an amount to be proven at trial.

17. As a result of the actions of Defendant(s), and each of them, Roberta Christian endured, and may continue to endure, general damages including pain and suffering in an amount to be proven at trial.

18. As a result of the actions of Defendant(s), and each of them, Roberta Christian suffered injuries which may be permanent and continuing to her damage in an amount to be proven at trial.

19. As a result of the actions of Defendant(s), and each of them, Roberta Christian has incurred, and will continue to incur, attorney's fees and costs in an amount to be proven at trial.

**Second Cause of Action  
(Negligent hiring, training, retention and/or supervision –  
New Song Inc.)**

20. Plaintiff repeats and realleges every allegation contained in this complaint and incorporates them by reference.

21. New Song Inc. had a duty to exercise due care in the selection, hiring, training, retention, oversight, and supervision of all of its agents including its employees and/or volunteers, and to ensure that all agents

were performing their duties and to ensure that all agents were provided  
1  
with adequate safety knowledge and were adequately informed to maintain  
2  
the safety of the premises and to avoid creation of an unreasonably  
3  
dangerous condition which presented a risk of harm to others, including  
4  
Roberta Christian.  
5

22. New Song Inc. breached its duty of due care by unreasonable  
hire(s), training, retention, oversight, and supervision of its agents which  
resulted in Roberta Christian suffering injury and damages as alleged  
herein. New Song Inc. breached its duty in various ways including failure  
to train or supervise its agents in prevention of unreasonably dangerous  
conditions, in how to use and/or move the folded chair rack, in how to  
remedy and/or to warn of dangerous conditions and of the proper  
procedure to be taken when a New Song Inc. agent creates an  
unreasonably dangerous condition on its premises.

23. As a result of the actions of Defendant(s), and each of them,  
Roberta Christian incurred injuries to her damage in an amount in excess  
of fifteen thousand dollars (\$15,000.00).

24. As a result of the actions of Defendant(s), and each of them, Roberta Christian required, and may continue to require medical care and has incurred and may continue to incur medical expense in the future in an amount to be proven at trial.

25. As a result of the actions of Defendant(s), and each of them, Roberta Christian endured, and may continue to endure, general damages including pain and suffering in an amount to be proven at trial.

26. As a result of the actions of Defendant(s), and each of them, Roberta Christian suffered injuries which may be permanent and continuing to her damage in an amount to be proven at trial.

27. As a result of the actions of Defendant(s), and each of them, Roberta Christian has incurred, and will continue to incur, attorney's fees and costs in an amount to be proven at trial.

## **Prayer for Relief**

WHEREFORE, Plaintiff prays for judgment against Defendant(s), as follows:

1. For general damages in an amount in excess of ten thousand dollars (\$15,000.00);
2. For special damages in an amount to be proven at trial;

3. For costs of suit and attorney's fees; and,
  4. For such other and further relief as the Court may deem just

and proper.

Dated this 16<sup>th</sup> day of November 2021.

/s/ James R. Christensen  
James R. Christensen Esq.  
Nevada Bar No. 3861  
JAMES R. CHRISTENSEN PC  
601 S. 6th St.  
Las Vegas NV 89101  
(702) 272-0406  
(702) 272-0415 fax  
[jim@jchristensenlaw.com](mailto:jim@jchristensenlaw.com)  
Attorney for Plaintiff